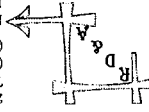


RUSSELL DAVIS & ASSOCIATES, INC.

CIVIL ENGINEERING
2028 Luxuria Court
Tucker, Georgia 30084
(770) 939-3964 tel
(770) 939-1950 fax
Residential & Commercial
Planning & Due Diligence
Water Quality Specialists



© Copyright 2007
Russell Davis & Associates, Inc.
This drawing is the property of Russell Davis & Associates, Inc. and shall not be reproduced or used in any manner without the written consent of Russell Davis & Associates, Inc.

No.	Revision/Note	Date
1	OWNER / COUNTY	02-02-07

OAKRIDGE DRIVE TRACT
LL 212, 20th DIST
COBB COUNTY
GEORGIA

REZONING PLAN

Sheet: D06026
Date: 01/03/2007
Scale: 1" = 50'

PROPOSED ZONING:
RA-5
CLUSTER RESIDENTIAL

MIN. LOT AREA = 7,000 SQFT
MIN. LOT WIDTH = 70'
MIN. LOT DEPTH = 50'
MIN. FRONT B.S.L. (INTERIOR) = 50'
MIN. FRONT B.S.L. = 40'
MIN. REAR B.S.L. (INTERIOR) = 20'
MIN. REAR B.S.L. = 40'
MIN. SIDE B.S.L. = 20'
MIN. SIDE B.S.L. (INTERIOR) = 7.5'
MAX. COVERAGE = 40%
MAX. BUILDING HEIGHT = 35'
2 PARKING SPACE PER LOT + GUEST
TOTAL UNITS = 15
TOTAL SITE ACREAGE = 4.89
TOTAL DENSITY = 3.07 UNITS / AC

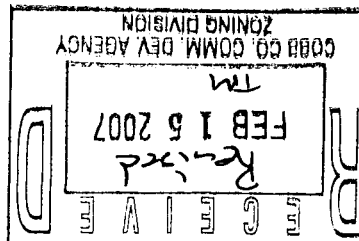
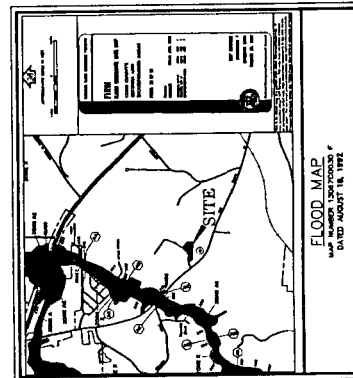
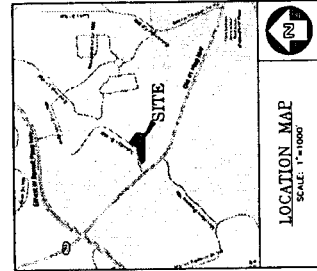
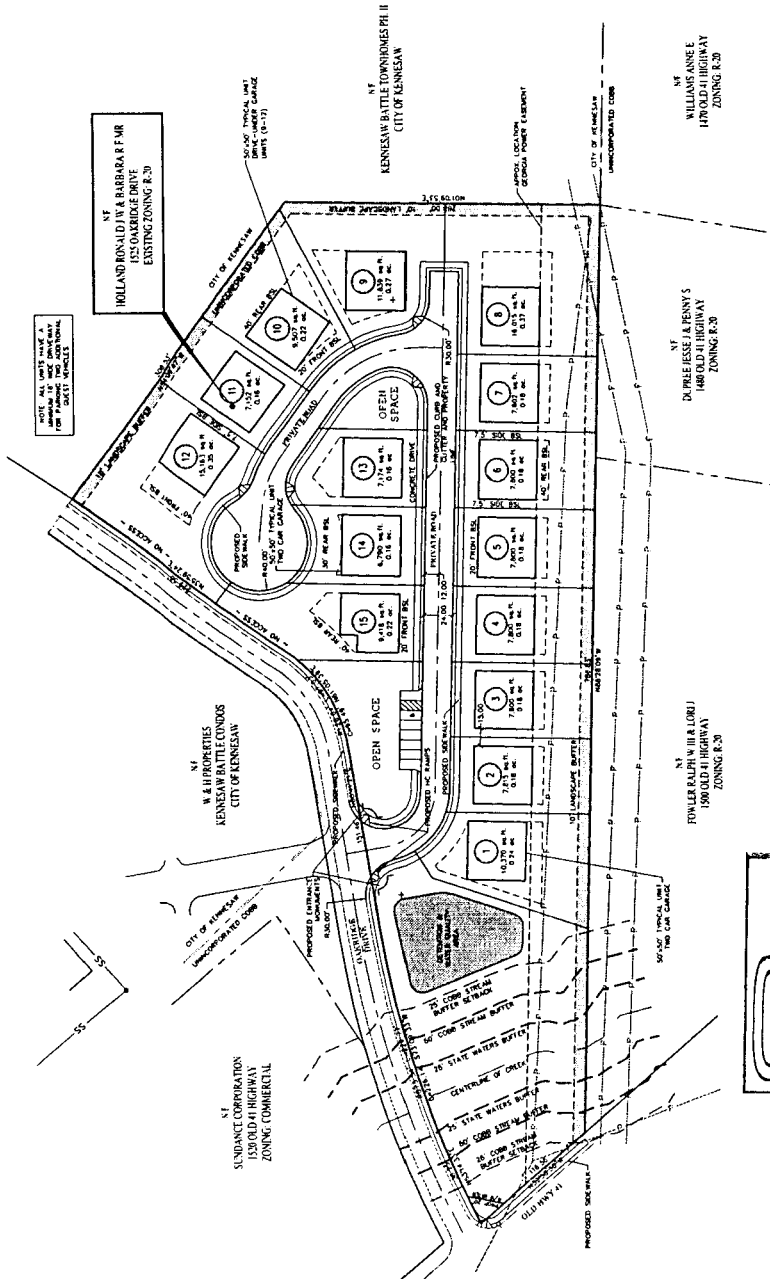
- 1) THERE ARE NO LINES ON SITE
- 2) THERE IS NO 100 YEAR FLOOD PLAIN ON SITE
- 3) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 4) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 5) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 6) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 7) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 8) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 9) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 10) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 11) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 12) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 13) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 14) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 15) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 16) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 17) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 18) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 19) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 20) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 21) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 22) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 23) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 24) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 25) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 26) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 27) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 28) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 29) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 30) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 31) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 32) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 33) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 34) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 35) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 36) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 37) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 38) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 39) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 40) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 41) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 42) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 43) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 44) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 45) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 46) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 47) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 48) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 49) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 50) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 51) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 52) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 53) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 54) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 55) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 56) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 57) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 58) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 59) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 60) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 61) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 62) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 63) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 64) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 65) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 66) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 67) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 68) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 69) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 70) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 71) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 72) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 73) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 74) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 75) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 76) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 77) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 78) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 79) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 80) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 81) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 82) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 83) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 84) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 85) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 86) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 87) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 88) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 89) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 90) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 91) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 92) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 93) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 94) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 95) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 96) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 97) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 98) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 99) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS
- 100) THERE ARE NO LINES ON THE SITE FOR FLOOD MAPS

OWNER/DEVELOPER:
RUSSELL DAVIS & ASSOCIATES, INC.
2028 LUXURIA COURT
TUCKER, GEORGIA 30084
PHONE: 770-939-3964
CONTACT: RUSSELL E. DAVIS, P.E.

ENGINEER:
RUSSELL DAVIS & ASSOCIATES, INC.
2028 LUXURIA COURT
TUCKER, GEORGIA 30084
PHONE: 770-939-3964
CONTACT: RUSSELL E. DAVIS, P.E.



GRAPHIC SCALE



UTILITIES PROTECTION CENTER, INC.
Call 800-455-2822-2823 for more information
We are a 24-hour utility protection center
We provide a wide range of services
We are the only company in the Southeast
that provides a 24-hour utility protection center
We are the only company in the Southeast
that provides a 24-hour utility protection center

APPLICANT: Crown Heights, LLC
770-579-0999

REPRESENTATIVE: Sams, Larkin & Huff, LLP
Garvis L. Sams, Jr. 770-422-7016

TITLEHOLDER: Susan Holland Vesmarovich as Executrix of The Estate of Barbara Ray Holland, a/k/a Mrs. Barbara R. F. Holland (deceased) and Susan Holland Vesmarovich and Judith Holland as Co-Executrices of The Estate of Ronald J. W. Holland (deceased)

PROPERTY LOCATION: Located at the southeasterly intersection of Old Highway 41 and Oakridge Drive.

ACCESS TO PROPERTY: Oakridge Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing house

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: City of Kennesaw/ Kennesaw Battle Townhouses; GC/ vacant lot
SOUTH: R-80/ Single-family houses
EAST: City of Kennesaw/ Kennesaw Battle Townhouses
WEST: R-20/ The Reserve subdivision

PETITION NO: Z-22

HEARING DATE (PC): 03-06-07

HEARING DATE (BOC): 03-20-07

PRESENT ZONING: R-20

PROPOSED ZONING: RA-5

PROPOSED USE: Subdivision

SIZE OF TRACT: 4.89 acres

DISTRICT: 20

LAND LOT(S): 212

PARCEL(S): 18

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

OPPOSITION: NO. OPPOSED _____ **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

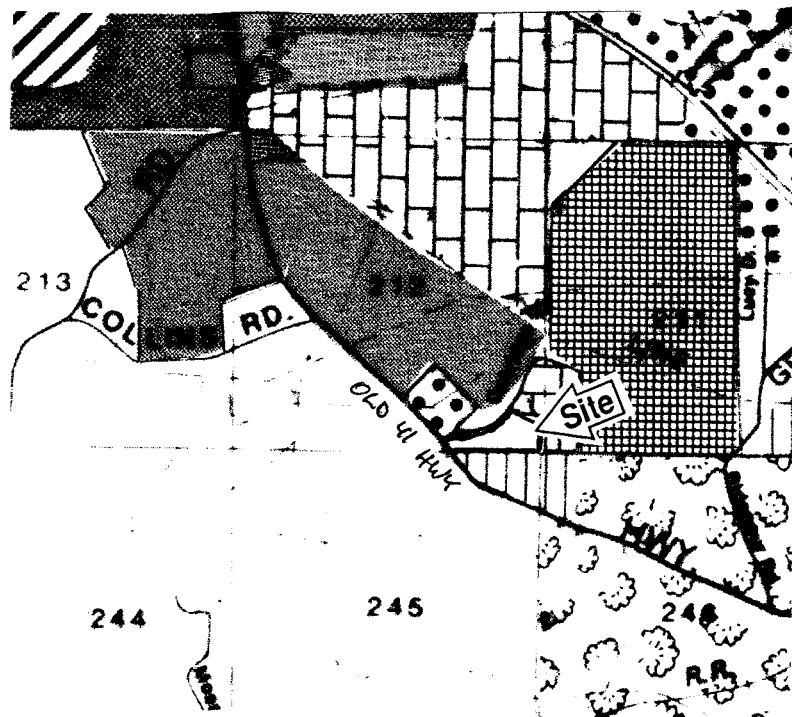
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

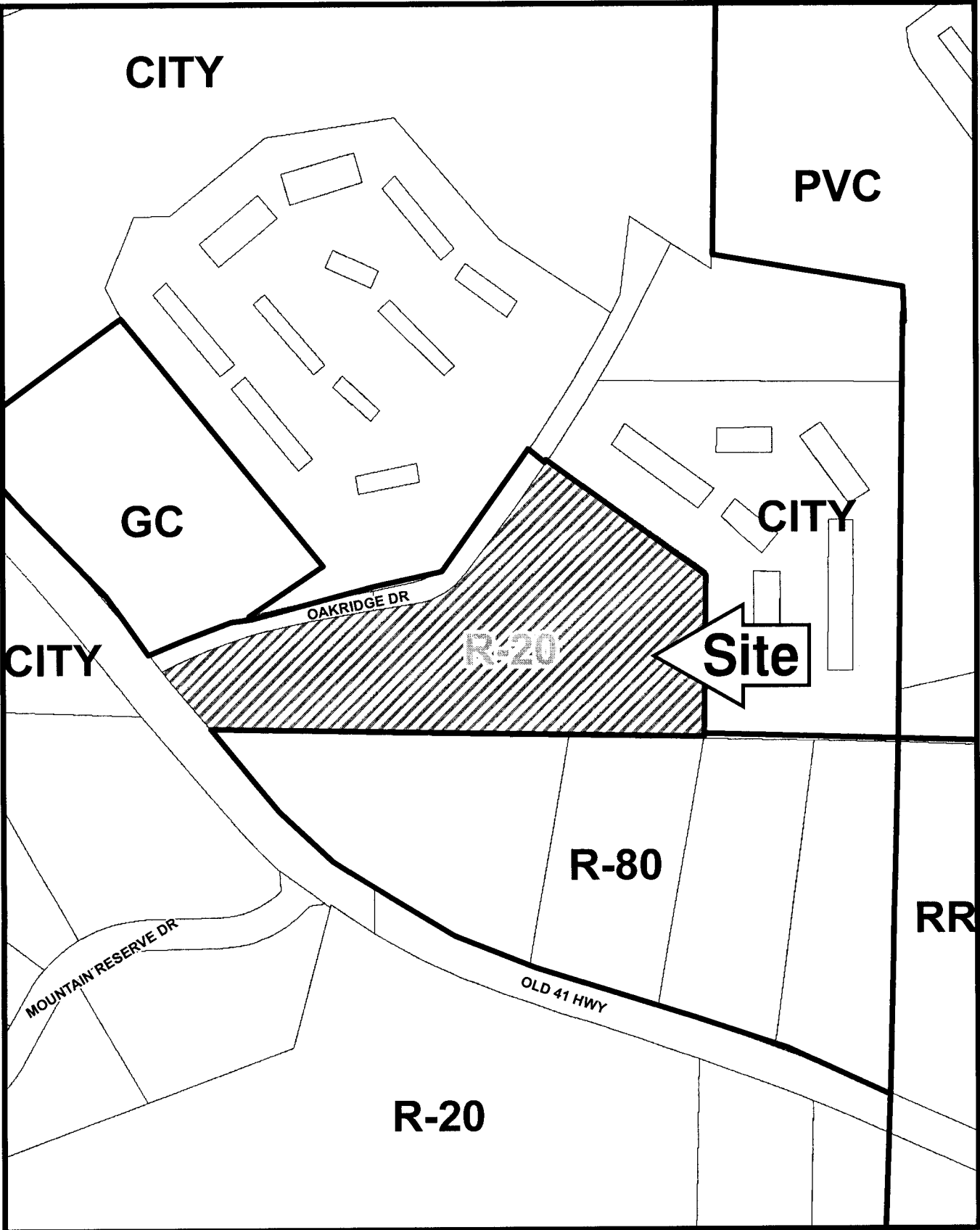
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

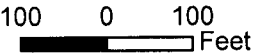
STIPULATIONS:



Z-22



This map is provided for display and planning purposes only. It is not meant to be a legal description.



- Draft Parcel Boundary
- Approximate Zoning Boundary

APPLICANT: Crown Heights, LLC

PETITION NO.: Z-22

PRESENT ZONING: R-20

PETITION FOR: RA-5

PLANNING COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Low Density Residential (1 to 2.5 units per acre)

Proposed Number of Units: 15 **Overall Density:** 3.06 **Units/Acre**

Present Zoning Would Allow: 8 **Units** **Increase of:** 7 **Units/Lots**

The applicant is requesting the RA-5 zoning district to develop a small single-family detached subdivision. The houses would be traditional in styling with exteriors consisting of a mixture of components, such as brick, stacked stone, masonry siding and/or cedar shake. The houses would be a minimum 2,500 square-feet, and would start selling in the \$450,000's. Each house would have an attached two-car garage. The applicant has submitted a letter of agreeable stipulations (see Exhibit "A").

The applicant is showing contemporaneous variances which are:

1. Waive the required amount of public road frontage from 50-feet to 0-feet to allow lots 1-11, 13 and 14 to access off a private road;
2. Reduce the minimum lot size from 7,000 square-feet to 6,790 square-feet for lot 14;

Historic Preservation: After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, it is determined that the project area is in the immediate vicinity of documented Civil War trenches. In order to determine if any significant Civil War features are located within the project area, an archeological field survey performed by a cultural resource professional is recommended. Based on the determination of either the presence or absence of potentially significant features, further recommendations (such as buffers, fencing, interpretive signage, etc.) shall be made by staff.

Cemetery Preservation: No comment.

APPLICANT: Crown Heights, LLC

PETITION NO.: Z-22

PRESENT ZONING: R-20

PETITION FOR: RA-5

SCHOOL COMMENTS:

Name of School	Enrollment	Capacity Status	Number of Portable Classrooms
Hayes Elementary	1,078	Over	
Pine Mountain Middle	761	Under	
Kennesaw Mountain High	3,093	Over	

* School attendance zones are subject to revision at anytime.

Additional Comments:

Approval of this rezoning could adversely impact enrollment at Hayes Elementary and Kennesaw Mountain High. Allatoona High School is scheduled to open in 2008 providing additional high school capacity in Northwest Cobb County.

FIRE COMMENTS:

The applicant is responsible to ensure all Cobb County Fire and Emergency Services Code requirements are met related to this project. Plans will need to be submitted to the Cobb County Fire Marshall's Office, prior to any permits being issued.

Standard comments:

1. Provide 24-hour emergency phone number (offset in bold print on all sheets).
2. Fire Hydrant
 - a. Commercial: Fire hydrant within 500 feet of most remote part of structure.
 - b. Residential: Fire hydrant within 500 feet of structure.
3. Fire apparatus access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor IFC 503.1 2003 Edition. **All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20-feet, 25-foot inside turning radius, 50-foot outside turning radius and unobstructed vertical clearance of not less than 13-feet 6 inches.** Dead-end access roads in excess of 150-feet shall be provided with a turn-around IFC 503.2.5 2003 Edition. Cul-de-sac with an island: minimum 60-foot radius to outside curb, measured to inside of curb. Minimum lane width = 24-feet. Residential cul-de-sac without island: 38-foot outside radius. Commercial cul-de-sac to have a 60-foot paved radius. Hammerhead turn-around: total of 110-feet needed (45-feet + 20-foot wide roadway + 45-feet).

Additional Comments:

APPLICANT Crown Heights, LLC

PETITION NO. Z-022

PRESENT ZONING R-20

PETITION FOR RA-5

NOTE: Comments reflect only what facilities were in existence at the time of this review.

WATER COMMENTS:

Available at Development? ☒ Yes ☐ No

Fire Flow Test Required? ☒ Yes ☐ No

Size / Location of Existing Water Main(s): 8" DI / NW side Oakridge Dr

Additional Comments: Master meter at entrance required for private streets

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

In Drainage Basin? ☒ Yes ☐ No

At Development? ☐ Yes ☒ No

Approximate Distance to Nearest Sewer: 260' NW**

Estimated Waste Generation (in G.P.D.): **A D F** 6,000 **Peak** 15,000

Treatment Plant: Noonday

Plant Capacity Available? ☒ Yes ☐ No

Line Capacity Available? ☒ Yes ☐ No

Projected Plant Availability: ☒ 0 - 5 year ☐ 5 - 10 years ☐ over 10 years

Dry Sewers Required? ☐ Yes ☒ No

Off-site Easements Required? ☒ Yes* ☐ No

Flow Test Required? ☐ Yes ☒ No

Letter of Allocation issued? ☐ Yes ☒ No

Septic Tank Recommended by this Department? ☐ Yes ☒ No

Subject to Health Department Approval? ☐ Yes ☒ No

Additional Comments:

**Also, sewer to be available at Old Hwy 41 and Oakridge Dr with construction of proposed White Oak Estates S/D, no easements may be necessary

* If off-site easements are required, Developer must submit easements to CCWS for review / approval as to form and stipulations prior to the execution of easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or off site easements, dedication of on and/or off site water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: Crown Heights, LLC

PETITION NO.: Z-22

PRESENT ZONING: R-20

PETITION FOR: RA-5

DRAINAGE COMMENTS

FLOOD HAZARD: ☒ YES ☐ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Noonday Creek FLOOD HAZARD INFO: Zone X

- ☐ FEMA Designated 100 year Floodplain Flood.
- ☒ Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- ☒ Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- ☐ Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: ☐ YES ☐ NO ☒ POSSIBLY, NOT VERIFIED

Location: within stream buffer and along streambed

- ☒ The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: ☒ YES ☐ NO ☐ POSSIBLY, NOT VERIFIED

- ☐ Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- ☐ Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- ☐ Georgia Erosion-Sediment Control Law and County Ordinance - County Review/State Review.
- ☐ Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- ☒ County Buffer Ordinance: **50', 75', 100' or 200'** each side of creek channel.

DOWNSTREAM CONDITION

- ☒ Potential or Known drainage problems exist for developments downstream from this site.
- ☒ Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- ☒ Minimize runoff into public roads.
- ☒ Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- ☐ Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- ☐ Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- ☐ Lake Study needed to document sediment levels.
- ☐ Stormwater discharges through an established residential neighborhood downstream.
- ☒ Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream proposed stormwater detention for Thompson Estates (LDP# 060196).

APPLICANT: Crown Heights, LLC

PETITION NO.: Z-22

PRESENT ZONING: R-20

PETITION FOR: RA-5

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- ☐ Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- ☒ Submit all proposed site improvements to Plan Review.
- ☐ Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- ☐ Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- ☐ Existing facility.
- ☒ Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- ☐ Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- ☒ Calculate and provide % impervious of project site.
- ☒ Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- ☐ No Stormwater controls shown _____
- ☐ Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- ☐ No site improvements showing on exhibit.

ADDITIONAL COMMENTS/SUGGESTIONS

Revised Comments based on Plan received 2/15/2007

1. The extensive existing tree stand and undergrowth provide significant air/water quality, soil stabilization and storm flow mitigation benefits for this watershed. Construction of this project will eliminate the vast majority of this vegetation and increase pavement, storm runoff and non-point source pollution. To compensate, the First Flush Water Quality Best Management Practice Requirements must be elevated to the 1.5-inch rainfall event and each larger storm discharge controlled not to exceed the allowable discharge of the next lower, more frequent storm event (ie. 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc. to 100-year event at 50-year rate).
2. The maximum allowable impervious coverage for RA-5 lots is 40%. The revised plan eliminates the rear-loading of lots 1-7, which brings the proposed development under the impervious limit. However, the new road layout is less efficient and locates a large cul-de-sac on the steepest portion of the site. The original hammerhead layout is preferred and would require less grading.
3. Lots 12 - 15 will naturally drain to Oakridge Drive. Curb inlets will likely be required along the southern side of Oakridge Drive to accommodate this additional runoff and direct it to the proposed detention pond.

APPLICANT: Crown Heights, LLC

PETITION NO.: Z-22

PRESENT ZONING: R-20

PETITION FOR: RA-5

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Oakridge Drive	NA	Local	25 mph	Cobb County	50'
Old 41 Highway	9800	Major Collector	45 mph	Cobb County	80'

Based on 2006 traffic counting data taken by Cobb County DOT.

COMMENTS AND OBSERVATIONS

Oakridge Drive is classified as a Local and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Old 41 Highway is classified as a Major Collector and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Donate a 20' x 20' right of miter at the corner of Old 41 Highway and Oakridge Drive.

Install sidewalk, curb and gutter along both road frontages.

Construct a deceleration/right turn lane on Old 41 Highway at Oakridge Drive.

Align the proposed entrance on with the opposing street.

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of a 20' x 20' right-of-way miter on the southeast corner of Oakridge Drive and Old 41 Highway.

Recommend installing sidewalk, curb and gutter along both road frontages.

Recommend a deceleration/right turn lane on Old 41 Highway.

Recommend aligning the proposed access with the opposing street.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF RECOMMENDATIONS

Z-22 CROWN HEIGHTS, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The properties in the City of Kennesaw are apartments and townhouses, and there is GC zoned property to the north. However, there is R-80 zoned property to the south that has single-family houses on large lots.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The applicant's proposal would be compatible with other higher intensity uses on Oakridge Drive, which are mostly within the City limits of Kennesaw. Staff is concerned with the density and the private road for RA-5, and would suggest the applicant reduce the density within the limits of the Land Use Map, and build a public road.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Low Density Residential Land Use Category with densities ranging from 1 to 2.5 units per acre. The proposed density is 3.06 units per acre.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal, but at a lower density. The applicant's proposal is not in accordance with the *Cobb County Comprehensive Plan*, which delineates this property to be Low Density Residential. The applicant's property is located in a transitional area between high intensity residential uses within the City of Kennesaw, and low intensity residential uses in Unincorporated Cobb County along Old Highway 41. Staff would recommend a maximum density of 2.5 units per acre, which equates to 12 lots. Additionally, Staff would recommend the developer install a public road to serve these lots.

Based on the above analysis, Staff recommends APPROVAL, subject to:

- Maximum of 12 single-family detached houses;
- District Commissioner approve the final plan;
- No private roads;
- Letter from Mr. Garvis L. Sams, Jr., dated February 13, 2007 (not in conflict with these stipulations);
- Fire Department comments;
- Historic Preservation comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations;
- owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI*
MELISSA P. HAISTEN

OF COUNSEL
DAVID P. HARTIN

*ALSO LICENSED TO PRACTICE
IN ALABAMA

770-422-7016

TELEPHONE

770-426-6583

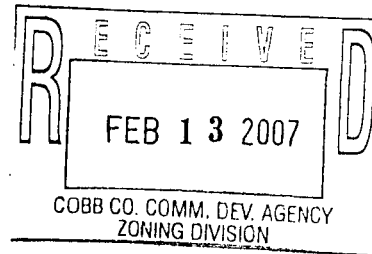
FACSIMILE

February 13, 2007

WWW.SAMSLARKINHUFF.COM

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
191 Lawrence Street
Suite 300
Marietta, GA 30060-1661



Re: Application of Crown Heights, LLC to Rezone a 4.89 Acre Tract
from R-20 to RA-5 (No. Z-22)

Dear John:

You will recall that this firm represents the applicant and property owner concerning the above-captioned application for rezoning. In that regard, the application is scheduled to be heard and considered by the Cobb County Planning Commission on March 6, 2007 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on March 20, 2007.

With respect to the foregoing and in keeping with our conversations with the County's professional staff, this letter will set forth the stipulations to which Crown Heights, LLC is amenable to having become conditions and a part of the grant of the requested rezoning and binding upon the subject property thereafter. The referenced stipulations are as follows, to-wit:

1. The stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned application for rezoning.
2. Rezoning of the subject property shall be from R-20 to RA-5 in substantial conformity to the site plan prepared by Russell Davis & Associates, Inc. which was filed contemporaneously with the Application for Rezoning.

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
Page 2
February 13, 2007

3. The subject property shall be developed for single family detached residences upon a total of 4.89 acres for a total number of 15 homes at an overall maximum density of 3.07 homes per acre.
4. The size of the single family detached homes shall range from a minimum of 2,500 square feet up to 3,500 square feet and possibly greater with each home having an attached two-car garage.¹
5. The architectural style of the homes shall be traditional and the composition of the homes shall consist of a mixture of either brick, stacked stone, Hardiplank® plank shake and Hardiplank® on all four (4) sides. The architectural style and composition shall be consistent with the elevations/renderings which will be submitted under separate cover.
6. An agreement to create a Mandatory Homeowners Association which shall be responsible for the upkeep and maintenance of all common areas, landscaped areas, amenity areas, fences, lighting and streets within the proposed residential community.
7. A third-party management company shall be hired to manage the day-to-day operations of the mandatory homeowners association, including the responsibility for all commonly owned properties and all amenities within the subject property. The third-party management company shall also be responsible for the management of all association monies as well as ensuring that the association is properly insured.
8. An agreement to record and enforce a Declaration of Covenants, Conditions and Restrictions which shall contain Covenants, Rules and Regulations applicable to the proposed residential community.
9. Subject to recommendations from the Cobb County Department of Transportation with respect to traffic/transportational issues, including the following:
 - a. The installation of sidewalk, curb and gutter on both Old Highway 41 and Oakridge Drive.
 - b. Ensuring that the point of ingress/egress is in alignment with the entrance to Kennesaw Battle Condominiums (as presently shown on the site plan).

¹ Price points are anticipated ranging from \$450,000 to \$650,000.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
Page 3
February 13, 2007

- c. The installation of a deceleration lane with an appropriate taper on Old Highway 41 and the construction of a 20' miter on Oakridge Drive at its intersection with Old Highway 41.²
10. Compliance with recommendations from the Stormwater Management Division with respect to the location, configuration and methodology of on site detention and water quality ponds. Additionally, an agreement to the following:
 - a. Conveying a restrictive easement in favor of Cobb County with respect to the 50' stream bank buffers in order that same shall remain undisturbed in perpetuity except to the extent that same are disturbed in order to accommodate in-stream detention and the construction of appropriate hydrological structures in order to accommodate the volume of off site detention required for LDP #06-0196.
 - b. Addressing spring activity and grading/slope issues by engaging the services of a geotechnical engineer.
 - c. Limiting the grading of the site to the house pads, rights-of-way, yards and required slopes.
11. The submission of a landscape plan during the Plan Review process, subject to staff review and approval which will include the landscaping, water quality ponds and detention areas so that they shall be screened from view from rights-of-way and adjacent residences.
12. Entry signage shall be ground-based, monument style, landscaped consistent with entrance signage along Old Highway 41, fully irrigated and incorporated into the submitted landscape plan.
13. Compliance with recommendations from the Cobb County Water System with respect to the availability and accessibility of sewer and water, including the Water System's recommendations that the subject property be master metered because of the private street developmental scenario.

² The implementation of this stipulation is conditioned upon it not affecting the volume of off-site detention required for LDP #06-0196.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY

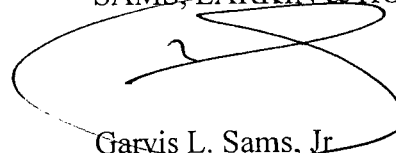
Mr. John P. Pederson, Planner III
Cobb County Zoning Department
Page 4
February 13, 2007

14. Compliance with recommendations from the Cobb County Fire Department as contained within the Zoning Analysis.
15. The final site plan shall be subject to review and approval by the District Commissioner. Additionally, the District Commissioner shall have the authority to make minor modifications these stipulations or the site plan as the zoning proposal proceeds through the Plan Review.

Please do not hesitate to call should you or the staff require any further information or documentation prior to this application's appearance before the Planning Commission and Board of Commissioners next month.

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS/jbmc

cc: Members, Cobb County Board of Commissioners – VIA Hand Delivery
Members, Cobb County Planning Commission – VIA E-Mail
Mr. Robert L. Hosack, Jr., AICP, Director – VIA Hand Delivery
Mr. Mark A. Danneman, Manager – VIA Hand Delivery
Mr. John M. Morey – VIA Hand Delivery
Mr. David Breaden – VIA Hand Delivery
Ms. Gail K. Huff, Assistant County Clerk – VIA Hand Delivery
Ms. Karen King, Deputy County Clerk – VIA Hand Delivery
Mr. Douglas W. Kindred, P.E., President, Reserve HOA – VIA E-Mail
Mr. Eddie Francis
Mr. Larry Thompson – VIA E-Mail
Mr. Henry H. Hays – VIA E-Mail
Mr. Russell Davis, P.E.